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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/014,677	12/11/2001	Jonathan Kahn	9761730-0016 3203		
7590 12/23/2004			EXAMINER		
SONNENSCH	IEIN NATH & ROSEI	RIVERO, MINERVA			
Wacker Drive S	Station, Sears Tower				
P.O. Box 061080			ART UNIT	PAPER NUMBER	
Chicago, IL 60606-1080			2655		

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Applicat	ion No.	Applicant(s)				
Office Action Summary		10/014,6	577	KAHN ET AL.				
		Examine		Art Unit				
		Minerva	Rivero	2655				
Period fo	The MAILING DATE of this commu	ication appears on th	e cover sheet with the c	orrespondence ad	Idress			
A SH THE - Exte after - If the - If NO - Failu Any	ORTENED STATUTORY PERIOD F MAILING DATE OF THIS COMMUN nsions of time may be available under the provision SIX (6) MONTHS from the mailing date of this com period for reply specified above is less than thirty ( ) period for reply is specified above, the maximum s re to reply within the set or extended period for repl reply received by the Office later than three months ed patent term adjustment. See 37 CFR 1.704(b).	ICATION. s of 37 CFR 1.136(a). In no e munication. 30) days, a reply within the statutory period will apply and so y will, by statute, cause the ap	vent, however, may a reply be time stutory minimum of thirty (30) day will expire SIX (6) MONTHS from plication to become ABANDONE	nely filed s will be considered timel the mailing date of this c D (35 U.S.C. § 133),	ly. communication.			
Status								
1)	Responsive to communication(s) fil	ed on						
2a) <u></u>	This action is <b>FINAL</b> . 2b) This action is non-final.							
3)[	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposit	ion of Claims							
5) <u>□</u> 6)⊠	<ul> <li>✓ Claim(s) 1 is/are pending in the application.</li> <li>4a) Of the above claim(s) is/are withdrawn from consideration.</li> <li>☐ Claim(s) is/are allowed.</li> <li>✓ Claim(s) 1 is/are rejected.</li> <li>☐ Claim(s) is/are objected to.</li> <li>☐ Claim(s) are subject to restriction and/or election requirement.</li> </ul>							
Applicat	ion Papers							
10)⊠	The specification is objected to by the The drawing(s) filed on <u>04/03/02</u> is/a Applicant may not request that any objected the tank of the oath or declaration is objected the specific transfer of the oath or declaration is objected the specific transfer of transfer of the specific transfer of transfer	are: a)⊠ accepted cection to the drawing(s) g the correction is requ	be held in abeyance. Secured if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 C				
Priority (	under 35 U.S.C. § 119							
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>								
Attachmer	• •		о <b>п</b>	(DTO 442)				
2)  Notice 3)  Infor	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review ( mation Disclosure Statement(s) (PTO-1449 or or No(s)/Mail Date <u>12/11/01</u> .	PTO-948) r PTO/SB/08)	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal F 6) Other:	ate	O-152)			

## **DETAILED ACTION**

## Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Holt *et al.* (US Patent 5.960,447).

Regarding claim 1, Holt et al. disclose a method of

- (i) loading a first window with a transcribed text file having a plurality of words, where the transcribed text file is associated with the audio file (*displaying the alternative words*, Col. 5, Lines 5-11; Fig. 4, element 73);
- (ii) loading a second window with the verbatim text file having a plurality of words (displaying the edited document, Col. 3, Lines 25-26);
- (iii) selecting at least one word from the transcribed text file and at least one word from the verbatim text file (Col. 2, Lines 7-12; selecting among various alternatives, Col. 4, Lines 23-27; Fig. 4, elements 70 and 73);

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(iv) linking the at least one word form the transcribed text file and the at least one word from the verbatim text file (Col. 3, Lines 63-66; Col. 4, Lines 23-27; Fig. 4, elements 70 (*verbatim text*) and 73 (*transcribed text*)) and

(v) repeating (iii) and (iv) until all the words in the verbatim text file have been linked (information that needs to be linked, Col. 3, Lines 63-66).

## Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sherwood *et al.* (US Patent 6,163,768) disclose a speech recognizer enrollment system where the acoustic models related to a verbatim text are updated according to a user's utterances.

Hanson (US Patent 6,457,031) discloses a method of displaying simultaneous windows for the correction and edition of dictated text.

Ellozy et al. (US Patent 5,649,060) disclose a method for aligning a transcription with an audio file.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minerva Rivero whose telephone number is (703) 605-4377. The examiner can normally be reached on Monday-Friday 9:00 am - 6:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Ivars Smits can be reached on (703) 305-9508. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MR 12/14/2004

TALIVALDIS IVARS SMITS
PRIMARY EXAMINER

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